

**REMARKS**

In the January 26, 2005, Office Action, the Examiner noted that claims 1, 2, 4-6, 8-10, 12-14, 16-19, 21-23, 25-27, 29-31, and 33-39 were pending in the application; objected to claim 9; rejected claims 1, 2, 4-6, 8-10, 12-14, 16-19, 21-23, 25-27, 29-31, and 33-38 under 35 USC § 103(a); and rejected claim 39 under 35 U.S.C. § 102(e). In rejecting the claims, U.S. Patents 6,381,583 to Kenney (Reference A in the January 26, 2005, Office Action) and 6,014,638 to Burge et al. (Reference A in the November 19, 2003, Office Action) were cited. Claims 1, 2, 4-6, 8-10, 12-14, 16-19, 21-23, 25-27, 29-31, and 33-39 remain in the case. The Examiner's rejections are traversed below.

**Objection to Claim 9**

On page 2 of the Office Action, the Examiner objected to claim 9 for use of the word "scent" instead of "scene." Claim 9 has been amended to correct the spelling error. Therefore, withdrawal of the objection is respectfully requested.

**Rejections under 35 U.S.C. § 103(a)**

On pages 3-9 of the Office Action, claims 1, 2, 4-6, 8-10, 12-14, 16-19, 21-23, 25-27, 29-31 and 33-38 were rejected under 35 USC § 103(a) as unpatentable over Kenney in view of Burge et al. In rejecting the claims, it was asserted that Kenney discloses an "avatar being controlled by said user to act in said first virtual reality scene and to gaze at objects therein to display the same in the images of the first virtual reality scene" (Office Action, page 4, lines 9-11), citing column 7, line 7, but quoting words found at column 7, lines 7-18. As apparent from the words in italics on lines 12-18 of page 4 in the Office Action, there is no mention of an "avatar" in this portion of Kenney. The entire text of Kenney has been searched for the word "avatar", but no occurrence has been found, nor has any occurrence of this word been found in Burge et al.

There is a significant difference between how displays are generated from a "first-person point of view" and a "third-person point of view". From the portion of Kenney cited at lines 12-18 of page 4 in the Office Action and the illustrations in Figs. 4-7, it appears that Kenney discloses a system for generating a first-person view. On the other hand, Burge et al. is directed to customizing displays which do not appear to be three-dimensional and are neither first- or third-person views of a three-dimensional virtual world. In comparison, the present invention is directed to a system in which "[a]n avatar 26 of the user appears in the virtual worlds 20 and 30" (application,

page 6, lines 15-16) where each of the virtual worlds 20 and 30 are a "three-dimensional virtual world" (page 5, lines 34-35 and 35-36).

The independent claims have been amended to emphasize that what is displayed to the user relates to how the avatar of the user interacts with objects in the virtual world. For example, claim 1 has been amended to recite "storing at predetermined intervals ... records of avatar coordinates representative of behavior of said avatar" (claim 1, lines 16-17), as described at page 9, line 30 to page 10, line 2 of the application. Using this information and "data representative of said first virtual reality scene ... including predefined virtual objects" (claim 1, lines 9-10) as described at page 10, line 25 to page 11, line 4, the system analyzes "the action of said avatar ... in accordance with the records of the avatar coordinates ... to said virtual objects and coordinates of said virtual objects ... to determine, as action data ... in relation to at least one of said virtual objects to which said avatar gets close ... and the gaze orientation information of said avatar" (claim 1, lines 20-25) as described at page 10, line 21 to page 12, line 4. Since neither Kenney nor Burge et al. discloses a system that displays an avatar of a user, there is no suggestion in either reference of performing operations based upon the location or direction of gaze of an avatar.

As discussed above, neither Kenney nor Burge et al. discloses a system that displays an avatar of a user, so there is no suggestion in either reference of performing operations based upon the location or direction of gaze of an avatar. The system taught by Kenney is only concerned with what is displayed on the screen to the user, because it is a first-person view display system. Thus, virtual objects that are close by but not in the direction in which the user is viewing cannot be seen by the user and are not involved in any operations performed by the system. This is one of the advantages of the third-person view which is used when an avatar of a user is displayed in a three-dimensional scene, as in the case of the present invention. The user can see objects that the avatar would not be able to see and the avatar can gaze in a direction in which virtual objects exist that the user cannot see. Thus, both of the alternatives "at least one of said virtual objects to which said avatar gets close according to the stored positions and the gaze orientation information of said avatar relative to the positions of said predefined virtual objects" (claim 1, lines 24-26) include virtual objects that are not displayed by the system disclosed in Kenney.

For the above reasons, it is submitted that claim 1 and claims 2, 4-6 and 8 which depend therefrom patentable distinguish over Kenney in view of Burge et al.

Claims 9, 18, 26 and 35 all include storing and analyzing operations like those discussed above with respect to claim 1. Therefore, it is submitted that claims 9, 18, 26, and 35 and claims 10, 12-14, 16, 17, 19, 21-23, 25, 27, 29-31, 33, 34 and 36-38 which depend therefrom patentably distinguish over Kenney in view of Burge et al. for reasons discussed above with respect to the storing and analyzing operations recited in claim 1.

#### **Rejections under 35 U.S.C. § 102(e)**

On pages 10-11 of the Office Action, claim 29 was rejected under 35 USC § 102(e) as anticipated by Kenney. In making this rejection, it was asserted that the "past actions of an avatar in the scene with respect to virtual objects" (Office Action, page 10, line 17) was disclosed at column 4, line 25 of Kenney. As discussed above, Kenney does not include any teachings related to an avatar in a scene, where it is "the user controlling the avatar" (claim 39, line 9), and there is no suggestion of any actions performed by an avatar in the words quoted at lines 20-22 on page 10 of the Office Action. Therefore, it is submitted that claim 39 patentably distinguishes over Kenney taken alone or in combination with Burge et al. for reasons similar to those discussed above with respect to claim 1.

#### **Summary**

It is submitted that the references cited by the Examiner, taken individually or in combination, do not reach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1, 2, 4-6, 8-10, 12-14, 16-19, 21-23, 25-27, 29-31, and 33-39 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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